

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION-FLINT

FILED

JUL 12 2006

UNITED STATES OF AMERICA,

Plaintiff,

NO. 06-20286

U.S. DISTRICT COURT
FLINT, MICHIGAN

v.

HON. PAUL V. GADOLA

CHARLES GARY-DON ABBEY,
Defendant.

SUPERSEDING INDICTMENT

THE GRAND JURY CHARGES:

COUNT ONE

[conspiracy to bribe a public official; 18 U.S.C. §§ 371 and 666(a)(2)]

That from about May 2001 until about October 16, 2001, in the
Eastern District of Michigan, CHARLES GARY-DON ABBEY and Louis
Albert-Blake Rizzo willfully conspired and agreed with each other, and with
other persons, to commit an offense against the United States, that is,
corruptly to give a thing of value to an agent of a local government which
received in the year 2001 Federal assistance benefits in excess of \$10,000,
with intent to influence and reward said agent in connection with business of

such government involving anything of value of at least \$5,000, in violation of Section 666(a)(2).

It was part said conspiracy that Louis Albert-Blake Rizzo would give to CHARLES GARY-DON ABBEY, the City Administrator of Burton, Michigan, a government that received in excess of \$10,000 under a Federal assistance program during the year 2001, real property described as lot 239 of Maplewood Meadows No. 4 in Burton, Michigan, commonly known as 4260 Meadows Avenue, Grand Blanc, Michigan, with intent to reward and [influence CHARLES GARY-DON ABBEY in connection with past and future business transactions of the City of Burton involving a value of \$5000 or more, that is, business transactions relating to real estate developments in the City of Burton in which Louis Albert-Blake Rizzo had, or would have, a financial interest.

It was further part of said conspiracy that CHARLES GARY-DON ABBEY and Louis Albert-Blake Rizzo would cause title to this real property to be transferred to CHARLES GARY-DON ABBEY through a third person, in order to avoid public knowledge of the fact that it was being given with intent to reward and influence CHARLES GARY-DON ABBEY in connection with past and future business transactions of the City of Burton.

In furtherance of said conspiracy, and to effect the objects thereof, the co-conspirators knowingly performed the following overt acts, among others:

- a) on or about June 4, 2001, Louis Albert-Blake Rizzo, as President of New Life Residential LLC, signed a Quit Claim Deed transferring lot 239 of Maplewood Meadows No. 4 to Amanda Wilcox Spangler, an employee of Louis Albert-Blake Rizzo;
- b) on or about October 16, 2001, Louis Albert-Blake Rizzo caused his employee Amanda Wilcox Spangler to sign a Quit Claim Deed transferring lot 239 of Maplewood Meadows No. 4 to CHARLES G. ABBEY and Ann M. Abbey, his wife, and, thereafter, to deliver said Quit Claim Deed to Ann M. Abbey.

The conspiracy described above was all in violation of Section 371 of Title 18, United States Code.

COUNT TWO

[solicitation of bribe by public official; 18 U.S.C. § 666(a)(1)]

That from about May 2001 until about October 16, 2001, in the Eastern District of Michigan, CHARLES G. ABBEY, being an agent of a local government, that is, the City Administrator of Burton, Michigan, a government that received in excess of \$10,000 during the year 2001 under a

Federal assistance program, corruptly solicited, demanded, and accepted a thing of value, that is, title to lot 239 of Maplewood Meadows No. 4 in Burton, Michigan, commonly known as 4260 Meadows Avenue, Grand Blanc, Michigan, intending to be rewarded and influenced in connection with business transactions of the City of Burton involving a value of \$5000 or more, that is, business transactions relating to real estate developments in the City of Burton in which Louis Albert-Blake Rizzo had, or would have, a financial interest, in violation of Section 666(a)(1) of Title 18, United States Code.

COUNT THREE

[extortion by public official; 18 U.S.C. § 1951]

That from about May 2001 until about October 16, 2001, in the Eastern District of Michigan, CHARLES G. ABBEY, who was then the City Administrator of Burton, Michigan, affected commerce by unlawfully obtaining property from another, specifically, title to lot 239 of Maplewood Meadows No. 4, Burton, Michigan, commonly known as 4260 Meadows Avenue, Grand Blanc, Michigan, under color of his official right as City Administrator, all in violation of Section 1951 of Title 18, United States Code.

THIS IS A TRUE BILL.

Dated: July 12, 2006

s/ Grand Jury Foreperson

STEPHEN J. MURPHY
United States Attorney

s/ ROBERT W. HAVILAND (P25665)
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United States District Court
Eastern District of Michigan**Criminal Case Cover Sheet**

Case Number 06-20286

NOTE: It is the responsibility of the Assistant U.S. Attorney signing this form to complete it accurately in all respects.

Companion Case Information		Companion Case Number: PAUL V. GADOLA
This may be a companion case based upon LCrR 57.10 (b)(4) ¹ :		Judge Assigned: FILED
<input type="checkbox"/> Yes <input type="checkbox"/> No		AUSA's Initials: rwh

JUL 12 2006

Case Title: UNITED STATES OF AMERICA v. CHARLES GARY-DON ABBEY U.S. DISTRICT COURT
FLINT, MICHIGANCounty where offense occurred : Genesee**Check One:** **Felony** **Misdemeanor** **Petty**

Indictment /Information no prior complaint.
 Indictment /Information based upon prior complaint [Case number:]
 Indictment /Information based upon LCrR 57.10 (d) [Complete Superseding section below].

Superseding Case Information:Superseding to Case No: 06-20286 Judge: PAUL V. GADOLA

Original case was terminated; no additional charges or defendants.
 Corrects errors; no additional charges or defendants.
 Involves, for plea purposes, different charges or adds counts.
 Embraces same subject matter but adds the additional defendants or charges below:

Defendant nameCharges7-12-06

Date

Robert W. HavilandROBERT W. HAVILAND (P25665)
Assistant United States Attorney(810) 766-5031

Phone Number

¹ Companion cases are matters in which it appears that substantially similar evidence will be offered at trial or the same or related parties are present, and the cases arise out of the same transaction or occurrence. Cases may be companion cases even though one of them may have already been terminated.